

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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In Re:
JOSHUA E. KELLY,

Chapter 13 Debtor.



Order Filed on August 7, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.:	23-15701-CMG
Chapter:	13
Judge:	Gravelle

LOSS MITIGATION ORDER

The relief set forth on the following pages, numbered 2 and 3, is hereby **ORDERED**.

DATED: August 7, 2023



Honorable Christine M. Gravelle
United States Bankruptcy Judge

☒ A Notice of Request for Loss Mitigation was filed by the debtor on 7/21/2023.

☐ A Notice of Request for Loss Mitigation was filed by the creditor,
_____ on _____.

☐ The court raised the issue of Loss Mitigation, and the parties having had notice and an opportunity to object, and the Court having reviewed any objections thereto.

The Request concerns the following:

Property: 144 Belmont Ave., North Plainfield, NJ

Creditor: Bank of America

☐ It is hereby ORDERED that the Notice of Request for Loss Mitigation is denied.

☒ It is hereby ORDERED that the Notice of Request for Loss Mitigation is granted, and:

- The debtor and creditor listed above are directed to participate in Loss Mitigation and are bound by the court's *Loss Mitigation Program and Procedures* (LMP).
- The Loss Mitigation process shall terminate on 11/5/2023 (90 days from the date of entry of this order, unless an *Application for Extension or Early Termination of the Loss Mitigation Period* is filed under Section IX.B of the LMP.)
- The debtor must make monthly adequate protection payments to the creditor during the Loss Mitigation Period in the amount of \$385.58 on the due date set forth in the note, including any grace period. See Section VII.B. of the LMP.
- If a relief from stay motion pursuant to section 362(d) is pending upon entry of this Order or if such a motion is filed during the loss mitigation period, the court may condition the stay upon compliance by the debtor with the fulfillment of the debtor's obligations under the Loss Mitigation Order. If the debtor fails to comply with the loss mitigation process and this Order, the creditor may apply to terminate the Order as specified in Section IX.B. of the LMP and to obtain relief from the stay.

- Extension or early termination of the LMP may be requested as specified in Section IX.B of the LMP.
- If this case is dismissed during the loss mitigation period, loss mitigation is terminated effective on the date of the order of dismissal.

☒ It is ORDERED that parties shall utilize the Loss Mitigation Portal during the Loss Mitigation Period, and it is further ORDERED that:

- Within 14 days of the date of this order, the creditor shall ensure that it is registered on the loss mitigation portal and that all of its initial loss mitigation document requirements are available on the portal.
- Within 35 days of the date of this order, the debtor shall upload and submit through the loss mitigation portal a completed Creditor's Initial Package.
- Within 14 days of the debtor's submission of the Creditor's Initial Package, the creditor shall acknowledge receipt of same and designate the single point of contact for debtor's review.

☐ It is ORDERED that the debtor is excused from use of the Loss Mitigation Portal during the Loss Mitigation Period, and it is further ORDERED that:

- Within 14 days of the date of this order, the creditor shall designate a single point of contact, including the name and contact information of the contact and shall specify to the debtor the forms and documentation the creditor requires to initiate a review of the debtor's loss mitigation options.
- Within 21 days after receipt of the creditor's specifications regarding forms and documentation, the debtor shall provide the requested information.
- Within 14 days of the debtor's submission, the creditor shall acknowledge receipt of the documentation.

rev.12/17/19

In re:
Joshua E. Kelly
Debtor

Case No. 23-15701-CMG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Aug 07, 2023

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 09, 2023:

Recip ID	Recipient Name and Address
db	+ Joshua E. Kelly, 144 Belmont Avenue, North Plainfield, NJ 07060-4458

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 09, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 7, 2023 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Aleisha Candace Jennings	on behalf of Creditor Home Point Financial Corporation ajennings@raslg.com
Angela Nascondiglio Stein	on behalf of Debtor Joshua E. Kelly nascondiglio@middlebrooksshapiro.com
Denise E. Carlon	on behalf of Creditor BANK OF AMERICA N.A. dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Jessica M. Minneci	on behalf of Debtor Joshua E. Kelly jminneci@middlebrooksshapiro.com
Melinda D. Middlebrooks	on behalf of Debtor Joshua E. Kelly middlebrooks@middlebrooksshapiro.com melindamiddlebrooks@gmail.com

District/off: 0312-3

User: admin

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Date Rcvd: Aug 07, 2023

Form ID: pdf903

Total Noticed: 1

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7